

REMARKS

Claims 1, 3 and 4 are amended herein. Claim 2 is canceled and claim 15 is newly added. Claims 6-14 are withdrawn from consideration. Support for the amendment is found, for example, in the original claims, namely original claims 1 and 2. Hence, no issues of new matter are presented.

Accordingly, Applicants respectfully request entry of the Amendment.

I. Claim Rejections Under 35 U.S.C. § 102

Claims 1-4 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Sigai for the reasons of record. On page 3 of the Office Action, the Examiner states that the argument made in the Amendment filed on August 7, 2003, that Example 1 of Sigai teaches aluminum oxide C and not a 1,3-diketone structure as recited in claim 1 is not convincing in view of the full teachings of the reference. It is the Examiner's position that Example 1 teaches the use of trimethyl aluminum as the aluminum oxide precursor but that other precursors such as aluminum acetylacetonates may be substituted at col. 3, lines 40-49.

II. Claim Rejections Under 35 U.S.C. § 103(a)

Claims 1-4 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kasenga et al in view of Mizuta et al for the reasons of record.

In response to the arguments made in the Amendment filed on August 7, 2003, the Examiner states that the argument that there is no motivation to combine the references is unconvincing because selection of a material based upon its known suitability for its intended

use has been held to support a *prima facie* obviousness rejection. In this regard the Examiner refers to Mizuta et al for the teaching that 1,3-diketones and nitrates are both suitable as precursors to metal oxide coatings and to Tanitsu and Sigai for the teaching of the use of metal diketones as metal oxide precursors.

Further, in response to the argument that Mizuta et al is non-analogous art, the Examiner takes the position that Mizuta et al is reasonably pertinent to the problem with which Applicants are concerned, namely, the decomposition of metal compounds to form metal oxides.

III. The Present Invention

The present invention provides a process for producing a vacuum ultraviolet ray-excited light-emitting phosphor as recited in claim 1 and new claim 15.

In the process of the invention of claim 1, one of the raw materials used is an aluminate phosphor compound, and another is a coupling agent containing a 1, 3 di-ketone structure.

In the process of the invention of new claim 15 one of the raw materials used is an aluminate phosphor compound and another is a coupling agent comprising an aluminate compound.

According to the process of the present invention, a vacuum ultraviolet ray-excited light-emitting phosphor having an excellent life property of light-emitting brilliance is obtained. (See page 8, lines 21-25 of the present specification and Example 1).

IV. The Cited References

A. Sigai

As the Examiner asserts, Sigai discloses mixing a manganese-doped zinc silicate phosphor with an aluminum precursor (such as acetylacetonate) and calcining to form an aluminum oxide coating. However in the process disclosed by Sigai, the raw material is silicate phosphor, not aluminate phosphor. Therefore the presently claimed invention is not anticipated by Sigai.

B. Kasenga

Kasenga discloses mixing a manganese-doped zinc silicate phosphor with nitrate and firing to form an aluminum oxide coating. However, in the process disclosed by Kasenga, the raw material is silicate phosphor and not aluminate phosphor.

C. Mizuta

Mizuta does not remedy the deficiencies of Kasenga in that Mizuta does not disclose an aluminate phosphor compound as a raw material used.

Therefore, even if one were to combine Kasenga with Mizuta, the presently claimed invention would not be achieved, since these references, whether taken alone or in combination, do not teach the presently claimed process for producing a vacuum ultraviolet ray-excited light-emitting phosphor instantly claimed of the present invention, comprising a step of mixing an aluminate phosphor compound with a coupling agent.

Accordingly, the presently claimed invention as recited in independent claims 1 and 5 is neither anticipated nor rendered obvious over the cited references. Claims 3 and 4 depend from

claim 1 and are distinguished for at least the same reasons. Withdrawal of the rejections is respectfully requested.

V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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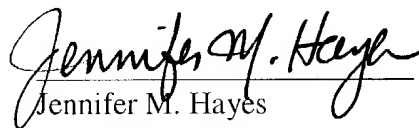
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